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MAR 01 2006

In re Application of:  
Yoshiki Hirano et al.  
Serial No.: 10/658,392  
Filed: September 10, 2003  
Attorney Docket No.: 033897-002

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: DECISION ON PETITION  
: TO WITHDRAW THE  
: HOLDING OF ABANDONMENT  
:

This is a decision on the petition to withdraw the holding of abandonment under 37 C.F.R. § 1.181 originally filed on March 14, 2005 and basically refiled on July 13, 2005, August 17, 2005 and December 30, 2005, respectively. There is no fee for this petition.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the Office action mailed on April 21, 2004. A Notice of Abandonment was mailed on January 11, 2005.

Petitioner indicates that the Office action was never received by the applicant. More specifically, petitioner asserts that the Office action was returned to the U.S. Patent and Trademark Office "as undelivered" and provides a copy of a printout from PAIR (Patent Application Information Retrieval) as evidence of such. A review of the file record does indicate that the Office action mailed on April 21, 2004 was returned to the U.S. Patent and Trademark Office on May 4, 2004.

Accordingly, the Notice of Abandonment mailed January 11, 2005 is hereby **VACATED** and the holding of abandonment is withdrawn.

This application is being forwarded to the Technical Support Staff of Technology Center 2800 for the remailing of the Office action of April 21, 2004. The remailing of the Office action will start a new three month shortened statutory period for response.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.

Janice A. Falcone, Director  
Technology Center 2800  
Semiconductors, Electrical and Optical  
Systems and Components